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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/731,079

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Douglas R. Fish

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EXAMINER

BELL, CORY C

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/731,079	Applicant(s) FISH ET AL.	
	Examiner Cory C. Bell	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-20 have been examined.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 134 and 522.
Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 19 is rejected under 35 USC 112 2nd paragraph, as "the user data" lacks antecedent basis.

Claim Rejections - 35 USC § 101

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5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. **Claims 12-16** are rejected under 35 USC 101 as being a program, *per se*. The claims are a program *per se*, as it is not positively recited that the claims are executed by the processor. A program that is not operating fails to provide a useful concrete and tangible result, as no result occurs.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-4 and 7-20 are rejected under 35 U.S.C. 102(e) and 35 U.S.C (a) as being anticipated by US 6,519,603 known hereafter as Bays.

9. **Claim 1** is rejected for the following reasons:

1. A method for providing annotation information for a set of data, comprising: querying an annotation store to retrieve one or more annotation records, {Figure 1a items 25 and 20, Col 4 lines 25-31} each annotation record associated with a portion of the set of data {Col 2 lines 30-

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37} and having one or more annotation fields; {Col 2 lines 53-59} generating a linking value identifying the portion of the set of data associated with the annotation records; {Col 3 lines 48-53} consolidating data contained in the annotation fields; and returning an annotation data structure {Col 11 lines 22-24 teach consolidating the fields into a results set} comprising a field containing the linking value and a field containing the consolidated data. {all fields contain consolidated data, Col 3 lines 48-53 show that the annotations fields are accompanied by the linking value field as the annotation which are returned comprise pointers}

10. **Claim 2** is rejected for the following reasons:

2. The method of claim 1, further comprising returning the set of data with the annotation data structure. {Col 4 lines 34-36}

11. **Claim 3** is rejected for the following reasons:

3. The method of claim 1, wherein: the set of data is a relational table containing query results; and the method further comprises joining the annotation data structure with the set of data. {Col 6 lines 61-66 and col 4 lines 34-36}

12. **Claim 4** is rejected for the following reasons:

4. The method of claim 3, comprising joining the annotation data structure with the set of data prior to returning the annotation data structure. {Figure 1A shows that the integration engine 12 is before the api returns the data to the user 27}

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13. **Claim 7** is rejected for the following reasons:

7. The method of claim 1, further comprising receiving a query to retrieve the annotation data, the query identifying the portion of the set of data associated with the annotation records. {Col 3 lines 59-76}

14. **Claim 8** is rejected for the following reasons:

8. The method of claim 1, further comprising: receiving a query to retrieve the set of data; and issuing the query against a data source separate from the annotation store to retrieve the set of data. {Figure 1A shows that the data sources are separate from the annotation store, col 6 line 61- col 7 line 8}

15. **Claim 9** is rejected for the following reasons:

See Claims 1, 3, and 4 rejections, any data is user data using the broadest reasonable interpretation.

16. **Claim 10** is rejected for the following reasons:

See Claim 1 rejection.

17. **Claim 11** is rejected for the following reasons:

11. The method of claim 10, wherein the linking values are utilized in the joining. {Col 4 lines 34-43 to join the data with the annotation the link must inherently be used}

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18. **Claim 12** is rejected for the following reasons:

See Claim 1 rejection.

19. **Claim 13** is rejected for the following reasons:

See Claim 2 rejection.

20. **Claim 14** is rejected for the following reasons:

See Claim 3 rejection.

21. **Claim 15** is rejected for the following reasons:

See Claim 7 rejection.

22. **Claim 16** is rejected for the following reasons:

See Claim 8 rejection.

23. **Claim 17** is rejected for the following reasons:

See Claim 1 rejection.

24. **Claim 18** is rejected for the following reasons:

See Claim 2 rejection.

25. **Claim 19** is rejected for the following reasons:

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See Claim 8 rejection.

26. **Claim 20** is rejected for the following reasons:

See Claims 3 and 4 rejections.

Claim Rejections - 35 USC § 103

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bays in view of official notice.

29. **Claim 5 and 6** are rejected because:

Bays teaches a relation database and using linking values and annotating data at the instance row level(col 2 lines 20-26 and 30-38, col 5 line 23,) However, bay fails to expressly disclose the use of primary key data. The examiner takes official notice that it would have been well known in the art at the time of the invention to include a simple or a composite primary key data in the link value. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the primary key data, as primary keys are how rows are differentiated in the relational database model.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,404,295 and US 6,249,784 pertain to querying annotated data and annotations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cory C. Bell whose telephone number is (571) 272 2736. The examiner can normally be reached on m-f 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272 4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SAM RIMELL
PRIMARY EXAMINER